

Date: Sun, 16 Dec 2001 16:26:14 -0800
Subject: Correspondence with Mike and Vitek about J. Biol and PLoS
Sender: pbrown@cmgm.stanford.edu
To: varmus@mskcc.org
From: pbrown@cmgm.stanford.edu

As promised, here's what I could find in my mailbox related to J. Biol and PLoS.

Original proposal from Vitek: Journals of Biology Research and PLoS

draft for discussion

1. PLoS adopts Journal of Biology Research (JBR) as it's high impact journal, and becomes known as "a journal of the Public Library of Science" published by BioMed Central (BMC)
2. J Biol will be owned by an independent not-for-profit company set up by PLoS to be known as PLoS Publishing (PLoSP)
3. PLoSP will appoint BioMed Central as its publisher.
4. PLoSP will own all the titles of journals publishing primary research papers which carry the identification "a journal of the Public Library of Science"
5. The journals will be published by BioMed Central and on its site, with clear identification of the PLoSP ownership.
6. PLoSP will establish the basic rules designed to ensure unrestricted free access to all the papers published in J Biol and any other journals it will start, and with consultation with BMC the editorial rules of peer review process, methods of acceptance of papers for publication etc.
7. BMC will be in sole charge of the publishing of these journals under the rules agreed with BMC
8. BMC will be free to publish and own a journal called Journal of Biology, which will publish commissioned reviews, commentaries and analysis articles relating to papers publish by JBR as well as other reviews. BioMed Central will own this review journal, and as an added value publication BMC may charge subscriptions for it. It will be able to print the papers from JBR (non exclusively and with clear identification).
9. PLoSP may start other journals (the second tier) which will carry the identification "a journal of the Public Library of Science" which BMC will publish under the same arrangement as for the JBR
10. BMC will advance the costs involved in publishing JBR and the other PLoSP journals. These costs will be treated as an unsecured loan to PLoSP on the understanding that PLoSP will make an effort to find funds for that purpose.

Quickly followed by this revised proposal from Vitek (which Mike should have forwarded to you):

> (this supersedes all previous suggestions)
>
> We have now discussed the various complicated issues involved in creating
a
> publication which will serve well the objective of publishing top quality
> papers in all areas of Biology in a structure owned and protected by PLoS
or
> a related structure, and at the same time to publish a journal which will
> contain added value information, such as "news and views" type reviews and
> other reviews and commentaries. We feel it is very important to include
the

> review type information in the efforts to attract and give good service to
 > the type of papers we want to publish.
 > The best structure we have now come up with is to publish one journal
 > (Journal of Biology in a format as we currently plan), but with all the
 > research paper published in it belonging to a section of the journal which
 > is owned by PLoS. There are examples in the past of journals where part of
 > the journal belonged to a society. This part may be called Journal of
 > Biology (PLoS) and the papers carry a citation of a format "JBiol (PLoS)
 > 2002 1:30" or similar. PLoS will be able to remove this section from the
 > journal if necessary in the future.
 > In addition (as we have already started discussing with Marc Kirschner) we
 > would appoint a group of trustees for the whole Journal of Biology, agreed
 > by us together, which will have the function of protecting the whole
 journal
 > from any misuse in the future. That group will act to ensure:
 > a) absolute editorial independence
 > b) free electronic access to original papers by everyone for ever
 > This small group (say 5) of "guardians" who can appoint replacements of
 > themselves will have a contractually guaranteed right to enforce those
 > ideals on any future owner. The initial group may consists of a subset of
 > the editorial board. I think they should all be active researchers and
 > demonstrate independence of the owners.
 > I hope this is clear and deals effectively with the issues. The most
 > important thing now is that we move forward as fast as we can. We are
 > committed to Journal of Biology and are already working hard for some time
 > on that. We continue to do so, and I feel we deal with all the issues of
 > assigning the ownership of the primary publishing aspect of that to PLoS
 > without losing time on the project itself. We can also work from there on
 > creating other PLoS owned journals published by BioMed Central for the
 next
 > level of journals.
 >
 >

Followed in turn by this exchange between Vitek and Mike:

----- Original Message -----

From: "vitek" <vitek@sciencenow.com>

To: "Michael Eisen" <mbeisen@lbl.gov>

Sent: Saturday, December 08, 2001 2:35 AM

Subject: Re: Journal

> I do start to despair.
 >
 > We can work on making the distinction crystal clear, but we believe this
 > combination (unrestricted access to research papers with subscription
 based
 > access to added value commissioned material) is important for the success
 of
 > this journal and a model for other journals. As we will be spending a lot
 of
 > money on it, it is reasonable for us to have some hope of making this
 > activity a rational part of our publishing.
 >
 > I am worried that for the sake of ideological purity you will end up doing
 > nothing.

>
> Your objective must be to promote the success of unrestricted access to
> primary literature, rather than the development of some orthodoxy of
> "pure"
> publishing. There is no one in the world currently actually doing as much,
> and at a very substantial cost, to develop and establish systems for "open
> publishing" of biomedical research. I really believe that by far the most
> effective way for you to help towards the achievement of all our goals is
> to
> help us in every way you can. It would be sad if for the sake of some new
> orthodoxy you choose not to collaborate with us on this project. After
all,
> what we are doing is ensuring that top quality papers will be available
free
> to everyone, while at the same time trying to evolve a model that will
> provide for the means of doing that in the long term and in the real
world.
> I am afraid that you (and Pat etc.) look with some horror at anything that
> might provide income for us, as if there is something unpleasant for us to
> receive money. But if we do not find a way to publish research papers with
> free access for all in a context of a sustainable business, this whole
idea
> will be much harder ever to become a reality. And I do think that the
> community of scientists is intelligent enough to see the rationale of our
> approach.
>
> I really think now is the time for you to decide if you can and want to
work
> with us in a structure we can have some hope of sustaining.
>

>Vitek-

Mike's reply:

This has nothing to do with orthodoxy or ideological purity. If I thought that the best way to make this project a success was to work with Elsevier, I'd do it in a heartbeat. Not only do I have no problem with you making money, I sincerely hope that you are wildly successful. My concerns are entirely practical and based on my belief that we will not succeed if this effort is perceived as being a way for BMC to promote a news and view journal. My concerns are twofold.

First, we need to establish that there is a legitimate business model for all publishers that does not rely on subscription charges. If BMC subsidizes this journal as part of its broader plans, this will not serve as any sort of model.

Second, we need to get scientists committed to supporting this project. I may be wrong, but I worry that the more this seems like a commercial venture, the less likely they are to forgo publishing in Science, Nature and Cell.

I think the only viable structure is one in which PLoS publishes its own journal that only contains primary research reports of the highest quality. BMC could then publish its own news and views journal that reprints our articles, adds news and view, etc... Since the articles are effectively in the public domain, anyone else could do this as well, although I doubt that they would.

I think the crux of the matter is that our journal(s) must stand on their

own, If BMC wants to support our journal because it provides material for your news and views journal, that's great. If our journal is simply seen as a hook for getting people to subscribe to the news and views journal, we will not succeed.

Do you have an objection to there being two separate journals. A PLoS journal that publishes primary research reports, and a BMC journal that publishes news and views and is free to reprint, reuse PLoS material?

I believe quite strongly that we can do something that satisfies both of our requirements, especially if you understand that our concerns are not ideological and that we have no problem with you making money. We all want this to succeed. I will talk to Pat and others today and try to come up with a more formal plan.

-Mike

I'm pretty sure that you've already seen the subsequent correspondence between me and Vitek, but I'm copying it below (note that I didn't quite accurately represent Vitek's plans wrt print publication - it's more tentative, leaning toward the idea of printing only archival copies for libraries, with just the possibility of a printed version for Scientist subscribers):

From: "vitek" <vitek@sciencenow.com>
To: "Patrick O. Brown" <pbrown@cmgm.stanford.edu>, <mbeisen@lbl.gov>, <varmus@mskcc.org>
Cc: "Jan Velterop" <jan@biomedcentral.com>, "Theo Bloom" <Theo.Bloom@cursci.co.uk>, "Peter Newmark" <Peter.Newmark@biomedcentral.com>, "Matthew Cockerill" <matt@biomedcentral.com>
Subject: Re: new journal
Date: Fri, 14 Dec 2001 15:42:38 +0100
X-Priority: 3
Status: RO

Hi Pat, Mike and Harold,

It is just wonderful to get this response from you. Our commitment to immediate and open access to research articles will never be broken, and we will protect it whatever happens to us in the future.

We plan to treat the copyright/licensing issues the same way we do for all other research articles we publish through BioMed Central journals, and we are open to change it if a better way is found.

Below is a copy of the email I have sent to Marc and others here following a telephone discussion I had with Marc about these and other issues a few days ago. We will work hard to make this journal a success, and it is important that we do in the battle for universal acceptance of the open access model by scientists.

To Marc, Peter, Jan, Matt and Theo

I had a very useful discussion with Marc on the phone, and the purpose of this email is to respond to his concerns, all of which I share. This is written quickly and is intended as an informal presentation of my ideas.

Reminder:

The objective of J Biol is to give the best service possible to the authors and readers of the very best papers in biology.

We will publish only the papers which in the opinion of the editor and referees are of the quality of the best of those published in Nature, Science, Cell etc. It is better to publish fewer papers but only of the very highest quality.

Publication of each paper will be made into an event: we will publicise the papers widely with a public relations campaign, we will commission a number of News and Views or Dispatches like pieces on the paper written by the very best people. We will commission a journalistic write up on the paper, its content, its authors, its implications etc.

All this material (together with the papers if we decide it makes sense - see below) will be printed and distributed to all the people (life scientists + institutions and libraries) together with the Scientist but clearly marked as Journal of Biology. This will be 75,000 to start with and growing. In that way we will have practical and controlled circulation of the journal that is larger than Nature, Science or Cell in the community of biology researchers.

In the first year we will not have issues, rather each paper will become a de facto issue of the journal. When the number of papers of the quality we require will be large enough to support a monthly publication, we may move to having issues.

All the research papers published in Journal of Biology will be free to everyone electronically always, without any restrictions. In the first year the journal, which will include the print version and all the reviews and write ups, will be free to everyone and distributed in print together

with The Scientists. That means that we can distribute J Biol to 75,000+ life scientists every two weeks, if we have papers. We will charge subscription to the printed journals and to the access to all the commissioned pieces about the papers in the subsequent years - but the free access to the primary papers electronically is guaranteed for ever.

1. Print versions

- a) we will print at the end of each year the complete content of the journal in a small number of copies for any library who would wish to have a printed copy (at some additional cost), and deposit a copy in British Library and Library of Congress, or Library of Medicine at NIH.
- b) we already offer anyone who wishes to have printed offprints of any paper we publish on BioMed Central a way to order a copy at some cost, as well as providing Acrobat files that print the exact fully designed (two columns, illustrations etc.) copy of the paper on a local printer, if a user wants one. This will be available also for all J Biol papers.
- c) in the first year of J Biol we might decide to include the full paper in the print version attached to The Scientist.
- d) longer term I believe the printing of full papers will become unnecessary, but we will be watching the situation and make rational decisions on that.

2. If we sell one day.

I too want to make sure that the ideals we start the journal with continue for as long as it exists. These I believe include:

- a) absolute editorial independence
- b) free electronic access to original papers be everyone for ever

To ensure this (and any other issues that we may define together) I suggest that we create a small group (say 5) of "guardians" who can appoint replacements of themselves, who will have a contractually guaranteed right to enforce those ideals on any future owner. The initial group may consists of a subset of the editorial board. I think they should all be active researchers and demonstrate independence of the owners.

Please let me know your thought on these ideas.

----- Original Message -----

From: "Patrick O. Brown" <pbrown@cmgm.stanford.edu>

To: "Vitek Tracz" <vitek@cursci.co.uk>

Cc: <mbeisen@lbl.gov>; <varmus@mskcc.org>

Sent: Thursday, December 13, 2001 9:27 PM

Subject: RE: new journal

> Hi Vitek,

>

> Of course Mike and I (personally, and with our PLOS hats on), will do
> whatever we can to promote the success of the new BMC journal,
> assuming (as I think I can) that it will be committed to making the
> original research papers it publishes freely available for
> distribution and use by anyone. In fact, if it lives up to my
> expectations, I will actively encourage my colleagues to publish
> their best work in it. The reluctance that Mike and I have to enter
> into an exclusive partnership with BMC is entirely due to the concern
> that it will sacrifice our independence, and make it much more
> complicated to solicit funds for other initiatives. (That may be a
> moot point if we can't raise the funds we need for this one). But if
> the new journal fully subscribes to the principles that the PLoS
> initiative has been advocating, then it will get all the endorsement
> and support we can muster.

>

> Could you please give me a little more information about how your new
> journal will treat the issue of copyright and licensing of the
> original research articles, and also your plans for trustees to
> guarantee the permanence of the journals commitment to open access?

>

> I hope you will keep us abreast of your plans as they evolve so that
> we can try to coordinate our own efforts with yours.

>

> Pat

>

> >Pat,

> >

> >I completely understand your arguments.

> >

> >I guess that we will have to start our journal as we have originally
planned

> >it, including a scheme to protect the open access publishing of the
research

> >papers from any future developments that may endanger it, as we have
already

> >started discussing with Marc. I would like to think that you will support
> >this endeavour of ours, and I could put arguments to suggest that so
should

> >PLOS. Surely the objective of PLoS is to help create an environment when

> >Open Access publishing becomes a routine at all level of research. You

may
> >consider the option that it would be more effective for PLoS to actively
> >support all efforts in that direction, rather than spend it's energies
and
> >funds by starting publications of its own, with the obvious dangers of
the
> >effect a lack of early success may have on the movement as a whole, as
well
> >as the danger of competing directly with other well meaning efforts.
> >
> >On the other hand I know and appreciate the arguments you have in
developing
> >a publishing effort directly on behalf of PLoS and we will support it and
> >help you in the framework already agreed between us.
> >
> >For the time being we have to accept that my idea of combining PLoS and
> >BioMed Central efforts within the structure of Journal of Biology is not
> >practical, because we do feel it will make it difficult for us not be
able
> >to control the efforts of the journal from here. I do very much hope that
> >you and Mike and others in PLoS will try to help us with the launch of J
> >Biol as we will help you with yours. Perhaps in time J Biol and J PLoS
will
> >be the Nature and Science of the future.
> >
> >Best wishes, -Vitek
> >
> >-----Original Message-----
> >From: Patrick O. Brown [<mailto:pbrown@cmgm.stanford.edu>]
> >Sent: 13 December 2001 06:48
> >To: Vitek Tracz
> >Subject: RE:
> >
> >
> >Hi Vitek,
> >
> >I've been struggling with the question of whether and how we might
> >work with BMC on the PLOS journal project. Mike has already
> >communicated our shared concerns, and I've read your message in
> >response. The critical issue for us is the unambiguous independence
> >of any journal that is launched on behalf of PLOS, and whether there
> >is any way to reconcile it with the kind of model that you envision.
> >We would need to retain complete and unfettered control over the
> >journal title (the title of record for the published original
> >articles, not necessarily the title for the BMC subscription
> >journal), as well as every aspect of the editorial policies, the
> >business practices (other than those for which we have a simple
> >contract), etc. If we were to share an identical title with the BMC
> >subscription journal, this would require that we grant an exclusive
> >license to the title to BMC (or alternatively, we would in principle
> >allow any other legitimate publisher to have a non-exclusive license
> >to the title). Either arrangement would run the risk of a lot of
> >confusion of our "brand image", to say the least]; if we accept any
> >financial subsidy - whether in-kind or money - from anyone including
> >BMC, we would need an irrevocable, unconditional commitment of
> >funding (basically, money in the bank) sufficient to operate without
> >any cutback for at least a year. In other words, we don't want to be
> >nominally "independent" but a month away from destitution and
> >therefore, de facto, operating at the pleasure of our benefactors.
> >There is also the more mundane question of whether any kind of
> >relationship that confers special benefits to, or incurs obligations

> >from, a for-profit company is compatible with the legal restrictions
> >on non-profit corporations.
> >
> >I would like to find a way to work together as synergistically as we
> >can on this project, but I'm having a hard time seeing a way to
> >bridge the gap between our proposals.
> >
> >At any rate, I wonder whether we can arrange a time to discuss these
> >questions soon.

>

--
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